

— AA 286-05

Griffith, Paul

VAR

0086

2006-0192-✓

MSA-S-1829-4641

Comments

5/24/05

6/23/06

KLS

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS
1804 West Street, Suite 100, Annapolis, Maryland 21401
(410) 260-3460 Fax: (410) 974-5338
www.dnr.state.md.us/criticalarea/

April 27, 2005

Mr. Michael Murray
Anne Arundel County
Planning and Zoning
2664 Riva Road, MS 6301
Annapolis, Maryland 21401

Re: Paul Griffith Property
MS 04-123

Dear Mr. Murray:

I have received the site plan and plat for the above-referenced subdivision request. The applicant addressed the comments of my last letter dated December 8, 2004. I have outlined my remaining comments below.


1. Prior to final recordation, the County must make a determination that the reconfiguration of these existing, legal parcels is brought into conformance insofar as possible. This is a requirement of the Code of Maryland Regulations 27.01.02.07 B (2) (a). While the applicant's response is that it is accomplished, the County must determine whether the creation of two new riparian lots, that were otherwise not riparian, meet the insofar as possible standard.
2. In addition, the proposed plan indicates a 20-foot wide use-in-common access easement through nontidal wetlands to the shoreline, which did not exist prior to this subdivision proposal. How does this meet the insofar as possible standard?
3. The label, "expanded 100-foot Buffer" should be added to the plan in those areas where it is applicable. For example, the area where the 25-foot nontidal wetland buffer and the 100-foot Buffer coincide should include this label.

Mr. Murray
April 27, 2005
Page Two

4. The Critical Area Note and General Note #6 are inconsistent with regard to which Critical Area designation applies to this site. It is our understanding this site is entirely within the Resource Conservation Area (RCA). Please have the applicant verify and correct this item.

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3478.

Sincerely,

A handwritten signature in cursive script that reads "Lisa A. Hoerger". The signature is fluid and written in dark ink.

Lisa A. Hoerger
Natural Resources Planner

cc: AA 777-04

Robert J. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

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May 11, 2005

Mr. Michael Murray
Anne Arundel County
Planning and Zoning
2664 Riva Road, MS 6301
Annapolis, Maryland 21401

Re: Paul Griffith Property - ADDENDUM
MS 04-123

Dear Mr. Murray:

I would like to provide additional comments on the above-referenced subdivision request. The last comment letter from this office is dated April 27, 2005. It is that letter to which I would like to add the following comments.

The location of the proposed dwellings on Lot 2 and Lot 3 will require a variance to permit a driveway access through the Buffer. It seems the applicant has the burden to show this would be the minimum variance necessary to allow resubdivision of the parcels. It appears the variance could be minimized if the driveway through the nontidal and tidal wetland buffers was only serving one new lot.

Has the applicant considered alternative locations for one of the dwellings? It appears existing parcel 2 has buildable area that would not require any variances. Please have the applicant indicate the reason for not selecting the alternative building area on existing parcel 2.

Thank you for the opportunity to comment. Please telephone me if you have any questions at (410) 260-3478.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa A. Hoerger".

Lisa A. Hoerger
Natural Resources Planner

cc: AA 777-04

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

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May 24, 2005

Rob Konowal
Anne Arundel County
Office of Planning and Zoning
2664 Riva Road
Annapolis, Maryland 21401

Re: Variance 2005-0086-V Paul and Kimberly Griffith

Dear Mr. Konowal:

Thank you for providing information on the above referenced variance. The applicant is requesting a variance to permit a right-of-way with less Buffer than required. The property consists of three grandfathered parcels totaling 11.125 acres and is designated a Resource Conservation Area (RCA). Parcel 1 is currently developed with a single-family dwelling and detached garage. Parcel 2 and Parcel 3 are currently undeveloped.

Based on the information provided, we have the following comments regarding the development proposal and variance request.

- 1) As shown on the site plan, Parcel 3 consists entirely of nontidal wetlands and Parcel 2 has only a small upland area outside the 25-foot nontidal wetland buffer. Parcel 1 is constrained by the Buffer, which is expanded for contiguous and extensive nontidal wetlands. We note that the expanded Buffer is not identified on the site plan. The applicant should fully identify the extent of the Buffer on all three parcels/lots on a revised site plan.
- 2) Commission staff provided comments on the proposed resubdivision of Parcel 1, Parcel 2, and Parcel 3 to create three new lots in the RCA (refer to attached letters). The resubdivision plan would create two new riparian lots (Lot 2 and Lot 3) where only one exists now (Parcel 1). The subdivision plan also includes a joint access easement along the shared property boundary of Lot 2 and Lot 3 (refer to attached copy of subdivision plan); the joint access easement is not shown on site plan provided with the variance application. Information provided to this office by the applicant's consultant on May 24, 2005 indicates that development of Parcel 1 and Parcel 2 as currently configured would result in greater

disturbance to nontidal wetlands and their buffers than the disturbance necessary to develop the lots proposed as part of the resubdivision (refer to attachments).

- 3) The applicant proposes to construct a 16-foot wide shared driveway access from Deale Beach Road to provide access to Lot 1, Lot 2 and Lot 3. Although it appears that the driveway access has been located to minimize disturbance to the Buffer and nontidal wetlands on the site, this office concurs with the recommendation of County staff that the driveway should be reduced to a width of 10 feet and the turn-around area should be eliminated. These changes will help to minimize the overall Buffer disturbance, which as proposed would be 10, 140 square feet (refer to attached plans provided by the consultant).
- 4) As stated in the Critical Area Report, the applicant proposes 8,650 square feet or 33.6 percent clearing to develop Lot 1. To comply with the 15 percent afforestation requirement in a RCA, 20,351 square feet must be planted on Lot 1 (Anne Arundel county Zoning Ordinance Article 28 §1A-105). All clearing on Lot 1 must be mitigated at a ratio of 3:1 or by payment of a fee for clearing in excess of 30 percent (Anne Arundel County Zoning Ordinance Article 28 §1A-104(c)).
- 5) Mitigation for development of Lot 2 and Lot 3, at a ratio of 3:1 for disturbance within the Buffer and 1:1 for disturbance outside the Buffer, should be provided. Plantings should be accommodated on the site to the extent possible and be compatible with existing vegetation in the adjacent nontidal wetland buffer.
- 6) As indicated on the site plans, stormwater from the driveway access will be conveyed in a grass channel (adjacent to the driveway) within the 25-foot nontidal wetland buffer to an existing culvert and outfall on Deal Beach Road.
- 7) The applicant must secure authorization from the Department of the Environment for impacts to nontidal wetlands and their buffers associated with the proposed driveway access.

Thank you for the opportunity to provide comments. Please include this letter in your file and submit it as part of the record for this variance. Also, please notify the Commission in writing of the decision made in this case.

Sincerely,



Julie V. LaBranche
Natural Resource Planner

cc: Tim Brenza (Messick and Associates)

AA 286-05 Griffith

Robert L. Ehrlich, Jr.
Governor

Michael S. Steele
Lt. Governor



Martin G. Madden
Chairman

Ren Serey
Executive Director

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June 23, 2006

Mr. Rob Konowal
Anne Arundel County
Office of Planning and Code Enforcement
2664 Riva Road
Annapolis, Maryland 21404

Re: 2006-192V; 5905 Deale Beach Road
Griffith

Dear Mr. Konowal:

Thank you for providing information on the above referenced variance. The applicant is requesting a variance to allow an extension in time for the implementation and completion of a variance previously approved on May 26, 2005. The applicant had previously received a variance to permit a right-of-way with less Buffer than required. The property consists of three grandfathered parcels totaling 11.125 acres and is designated a Resource Conservation Area (RCA). Parcel 1 is currently developed with a single-family dwelling and detached garage. Parcel 2 and Parcel 3 are currently undeveloped.

Provided the variance extension is subject to the same conditions, we do not oppose this variance.

Thank you for the opportunity to provide comments. Please include this letter in your file and submit it as part of the record for this variance. Also, please notify the Commission in writing of the decision made in this case.

Sincerely,

A handwritten signature in black ink that reads "Kate Schmidt".

Kate Schmidt
Natural Resource Planner
cc: AA286-05



County Executive Janet S. Owens

**Office of Planning and Zoning
Zoning Division**

INTER-OFFICE CORRESPONDENCE

DATE: May 20, 2005
TO: Rob Konowal, Zoning Division
FROM: Kathleen Shatt, Planner III, South Team
VIA: Kelly Krinecz, Planning Administrator, South Team
SUBJECT: 2005-0086-V Paul & Kimberly Griffith

The above referenced variance to permit a right-of-way with less buffer than required has been reviewed.

The subject property is currently under subdivision review by this Office. The applicants seek to revise the property lines of three legal parcels, which were created in 1949, 1947 and 1945 prior to the enactment of the subdivision and zoning regulations. The property is located on a point on Carr's Creek, so it is surrounded by tidal waters on two sides. While the entire site contains 11.4313 acres of property, the site is severely constrained by the existing extensive non-tidal wetlands and required non-tidal wetland buffer and the 100-foot buffer to the Carr's Creek. Existing parcel three is completely located in non-tidal wetlands; and a vast majority of existing parcel two is located in the non-tidal wetlands. Without the subdivision and the relocated lot lines, existing parcel three is not developable due to the existing wetlands and lack of access. Existing parcel two would be difficult to develop because of its extensive wetlands and access issues since the only access available to existing parcel two is on a steep curve that has limited site distance.

The subdivision plan under review will not create any new lots; it will simply reconfigure the existing three legal parcels into three viable building lots, one of which is already developed with a single family house.

The only variance required is for the disturbance of a wetland and buffer to provide access and public sewage to the developable portion of the site. This Office respectfully

Griffith
2005-0086-V
May 20, 2005
Page 2

disagrees with the Critical Area Commission that the applicants could utilize the alternative building area on existing Parcel 2, since the only access to that portion of the site is on a steep curve along Deale Beach Road, which would be dangerous due to the limited site distance available.

This Office would recommend approval of the requested variance with several conditions.

First, the existing site plan does not show any frontage for proposed Lot 3. The lot line between Lot 2 and Lot 3 should be revised to provide frontage along Deale Beach Road. This area would not be able to be used for access because it would necessitate a greater disturbance to the existing wetlands than what is proposed. (see attached red-line copy of the site plan).

Second, the driveway serving proposed Lots 2 and 3 could be reduced in size to minimize the impacts. This Office would recommend that the driveway be reduced from 16' wide to 10' wide within the required 40' access easement. This would minimize disturbance to the wetland and wetland buffer. Further, if the driveway is reduced to 10' wide, the impact to provide access to two lots will not be any greater than the impact to provide access to one lot.

Third, the T-turnaround should be eliminated. There is no requirement for a T-turnaround to service only two lots. While the T-turnaround does not impact the wetland or its buffer, its elimination will further reduce the amount of impervious surface within the Critical Area.

Finally, a Private Road Maintenance Agreements will need to be established for the private access easement for Lots 1 - 3. There will need to be one agreement for the first leg of the driveway that will provide access for Lots 1 - 3 and a second agreement for the remainder of the driveway that will provide access for Lots 2 and 3.

KAS/
cc File

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2006-0192-V

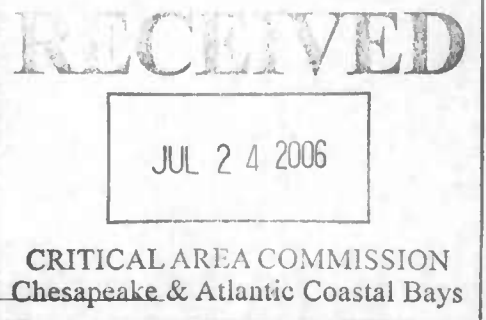
IN RE: PAUL AND KIMBERLY GRIFFITH

SEVENTH ASSESSMENT DISTRICT

DATE HEARD: JULY 18, 2006

ORDERED BY: STEPHEN M. LeGENDRE, ADMINISTRATIVE HEARING OFFICER

PLANNER: LORI RHODES



DATE FILED: JULY 19, 2006

PLEADINGS

Paul and Kimberly Griffith, the applicants, seek a variance (2006-0192-V) to extend the time to implement and complete a previously approved variance on property located along the north side of Deale Beach Road, north of Flood Avenue, Deale.

PUBLIC NOTIFICATION

The case was advertised in accordance with the County Code. The file contains the certification of mailing to community associations and interested persons. Each person designated in the application as owning land that is located within 175 feet of the property was notified by mail, sent to the address furnished with the application. Timothy Brenza, the applicants' landscape architect, testified that the property was posted on June 29, 2006. I find and conclude that the requirements of public notice have been satisfied.

FINDINGS AND CONCLUSIONS

This case concerns the same property the subject of a decision by this office in Case No. 2005-0086-V (June 10, 2005). The prior Order conditionally approved a variance to permit a right-of-way with disturbance to tidal and non-tidal wetlands buffers. At the time of the approval, Anne Arundel County Code, Article 28, Section 11-102.2 provided that a variance is void unless a permit

conforming to the plans is obtained within one year and construction is completed within two years.¹ The present request is a timely application for an extension.

Lori Rhodes, a planner with the Office of Planning and Zoning, testified that the release of the grading permit is pending approval of an amended record plat. The applicants were delayed by the complexities of the project. The Corps of Engineers has issued a "favorable decision letter" for the wetlands disturbance. The request is unobjectionable to the reviewing agencies. By way of conclusion, Ms. Rhodes supported the application.

Mr. Brenza testified that the plat was signed on July 17, 2006. He confirmed that the application and conditions are unchanged. Mr. Griffith indicated that the duration of the project reflects the effort to minimize the environmental impacts. There was no other testimony.

Upon review of the facts and circumstances, I find and conclude that the applicants are entitled to relief from the code. In this regard, I adopt the findings and conclusions of the prior Order. The applicants have justified the delay and there is no indication that anything has changed. The approval retains the same conditions appended to the prior Order.

¹ Bill No. 4-05 revised, restated and recodified the zoning Code effective May 12, 2005. Under Article 18, Section 18-16-405 (a), an applicant now has 18 months to obtain the permit, with completion in accordance with the permit. (Section 18-2-101 (b) limited the applicability of Bill No. 4-05 to applications for variances filed after April 4, 2005. The prior application was filed on March 2, 2005.)

ORDER


PURSUANT to the application of Paul and Kimberly Griffith, petitioning for a variance to extend the time for implementation and completion of a previously approved variance; and

PURSUANT to the advertising, posting of the property, and public hearing and in accordance with the provisions of law, it is this 19th day of July, 2006,

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicants are hereby **granted** a time extension until January 20, 2008 to obtain the permit with completion in accordance with the permit.

The foregoing approval is subject to the following conditions:

1. The applicants shall provide mitigation for development of Lots 2 and 3 at a ratio of 3:1 for disturbance in the buffer and 1:1 for disturbance outside the buffer with plantings on-site to the extent practicable.
2. Reforestation for clearing may be used to satisfy the minimum 15 percent afforestation requirement for Lot 1.
3. The applicants shall obtain authorization from MDE for impacts to nontidal wetlands and their buffers.


Stephen M. LeGendre
Administrative Hearing Officer

NOTICE TO APPLICANT

Within thirty days from the date of this Decision, any person, firm, corporation, or governmental agency having an interest therein and aggrieved thereby may file a Notice of Appeal with the County Board of Appeals.

If this case is not appealed, exhibits must be claimed within 60 days of the date of this Order, otherwise that will be discarded.

☒ LH
☒ JL

2005 0086 V 286-05

RECEIVED

JUN 13 2005

CRITICAL AREA COMMISSION

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

CASE NUMBER 2005-0086-V

IN RE: **PAUL AND KIMBERLY GRIFFITH**

SEVENTH ASSESSMENT DISTRICT

DATE HEARD: MAY 26 2005

ORDERED BY: **STEPHEN M. LeGENDRE**, ADMINISTRATIVE HEARING OFFICER

PLANNER: **ROBERT KONOWAL**

DATE FILED: JUNE 10th, 2005

PLEADINGS

Paul and Kimberly Griffith, the applicants, seek a variance (2005-0086-V) to permit a right-of-way with less buffer than required on property located along the east side of Deale Beach Road, north of Flood Avenue, Deale.

PUBLIC NOTIFICATION

The case was advertised in accordance with the County Code. The file contains the certification of mailing to community associations and interested persons. Each person designated in the application as owning land that is located within 175 feet of the property was notified by mail, sent to the address furnished with the application. Timothy Brenza, the applicants' landscape architect, testified that the property was posted on May 11, 2005. I find and conclude that the requirements of public notice have been satisfied.

FINDINGS AND CONCLUSIONS

The applicants own a single-family residence with a street address of 5905 Deale Beach Road, also known identified on Tax Map 74, Block 20, Parcel 202 (Lots 1, 2 and 3). The property comprises 11.43 acres and is split zoned R-2 residential, R-5 residential and OS Open Space Districts with a Chesapeake Bay Critical Area designation as Resource Conservation Area (RCA). This is a waterfront lot on Carrs Creek. The request is to resubdivide the property into

three new lots in order to support two new homes. An extension of the existing driveway to serve the proposed homes disturbs tidal and nontidal wetlands.

Anne Arundel County Code, Article 28, Section 1A-104(a)(1) establishes a minimum 100-foot buffer from tidal wetlands. There is also a 25-foot buffer surrounding nontidal wetlands. Accordingly, the proposal requires a variance to disturb the buffers to tidal and nontidal wetlands.

Robert Konowal, a planner with the Office of Planning and Zoning, testified that the property is substantially impacted by wetlands. The redevelopment proposal locates the future dwellings outside the wetlands buffers. An existing cemetery precludes accessing the two new homes without buffer disturbances. The witness summarized the agency comments. The County's Development Division and the County's Critical Area Commission recommended reductions in the new paving. The Commission also requested mitigation and afforestation.¹ By way of conclusion, Mr. Konowal offered support for the application.

Eric See, an environmental consultant to the applicants, testified that developing two new homes based on the existing lot configuration would disturb double the amount of wetlands as compared to the proposal. He confirmed that the applicants require authorization from the Maryland Department of the Environment (MDE) for impacts to nontidal wetlands and their buffers.

¹ The record was left open for clarification of the agency comments. Mr. Brenza provided a revised site plan dated June 6, 2005 reflecting changes accepted by the County and the Commission.

Mr. Brenza testified that the property comprises three legal parcels created under individual deeds from the 1940's. The witness indicated that the reconfiguration makes maximum use of the available uplands.²

Upon review of the facts and circumstances, I find and conclude that the applicants are entitled to relief from the code. For this Critical Area property, due to the extent of the wetlands, a strict implementation of the program would result in an unwarranted hardship. To literally interpret the program would forestall the construction of two homes on legal parcels, a right commonly enjoyed by other properties in similar areas in the Critical Area. Conversely, the granting of the variance will not confer any special privilege that the program typically denies. There is no indication that the request results from the actions of the applicants or from land use on neighboring property. Finally, with conditions, the granting of the variance will not adversely impact Critical Area resources and will harmonize with the general spirit and intent of the program. I further find that the revised site plan represents the minimum relief. There is nothing to indicate that the granting of the variance will alter the essential character of the neighborhood, substantially impair the appropriate use or development of adjacent property, or cause a detriment to the public welfare. The approval is subject to the conditions in the Order.

² The revisions to the site plan are summarized in Mr. Brenza's letter dated June 2, 2005 (Attachment A).

ORDER

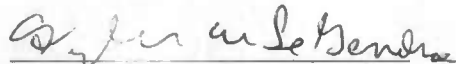
PURSUANT to the application of Paul and Kimberly Griffith, petitioning for a variance to permit a right-of-way with less buffer than required; and

PURSUANT to the advertising, posting of the property, and public hearing and in accordance with the provisions of law, it is this 10th day of June, 2005,

ORDERED, by the Administrative Hearing Officer of Anne Arundel County, that the applicants are hereby **granted** a variance to permit a right-of-way with disturbance to tidal and nontidal wetlands buffer in accordance with the revised site plan dated June 6, 2005.

The foregoing approval is subject to the following conditions:

1. The applicants shall provide mitigation for development of Lots 2 and 3 at a ratio of 3:1 for disturbance in the buffer and 1:1 for disturbance outside the buffer with plantings on-site to the extent practicable.
2. Reforestation for clearing may be used to satisfy the minimum 15 percent afforestation requirement for Lot 1.
3. The applicants shall obtain authorization from MDE for impacts to nontidal wetlands and their buffers.


Stephen M. LeGendre
Administrative Hearing Officer

NOTICE TO APPLICANT

Within thirty days from the date of this Decision, any person, firm, corporation, or governmental agency having an interest therein and aggrieved thereby may file a Notice of Appeal with the County Board of Appeals.

Further Section 11-102.2 of the Anne Arundel County Code states:

A variance granted under the provision of this Article shall become void unless a building permit conforming to the plans for which the variance was granted is obtained within one year of the grant and construction is completed within two years of the grant.

If this case is not appealed, exhibits must be claimed within 60 days of the date of this Order, otherwise that will be discarded.

Attachment A

M ♦ A

June 2, 2005

Mr. Stephen M. Legendre

Administrative Hearing Officer

AACo. Office of Administrative Hearings

44 Calvert St.

Annapolis, Maryland 21401

Messick & Associates
CONSULTING ENGINEERS



RE: Paul and Kimberly Griffith Variance
Variance # 2005-86-V

Dear Mr. Legendre:

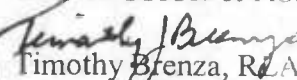
In response to questions raised at the variance hearing May 26, 2005, I met with the Office of Planning and Zoning/Development Division (Kathy Shatt) and the Chesapeake Bay Critical Area Commission (Ms. Julie LaBranche) and clarified the following issues related to the above referenced variance.

First, Ms Schatt confirmed the proposed 40' use in common access easement shown meets the requirements for lot frontage and access in accordance with Article 28, Section 10-102 (applicable prior to 4/4/05). No changes are required to the lot configuration or access as shown. In response to staff comments presented at the variance hearing, I have reduced the driveway width from 16' to 10' from the intersection with the existing driveway to proposed lots 2 & 3 and removed the "T-Turnaround" as shown on the original site plan.

Second, I met with Ms Julie LaBranche and confirmed the location of the Critical Area Expanded Buffer and the reforestation requirements for the project. The location of the expanded buffer and reforestation calculation has been added to the site plan. Ms LaBranche confirmed the Commission's policy that the 15% afforestation requirement applies to the reconfigured lot areas and the reforestation required for the proposed clearing may be used to satisfy the 15% afforestation requirement.

The revised variance site plan (dated 5/2/05, attached) reflects the above referenced changes requested by staff at our variance hearing May 26, 2005. No other changes to the site plan were required. I have presented this letter to Ms. Shatt and Ms LaBranche and they have signed below indicating their approval of the revision. Please feel free to contact our office should you have any questions concerning this submittal.

Sincerely,
MESSICK GROUP, INC.
T/A MESSICK & ASSOCIATES


Timothy Brenza, R.E.A.

Ms. Kathy Shatt, AACo. P & Z Development: 

Ms Julie LaBranche, Chesapeake Bay Critical Area Commission: 

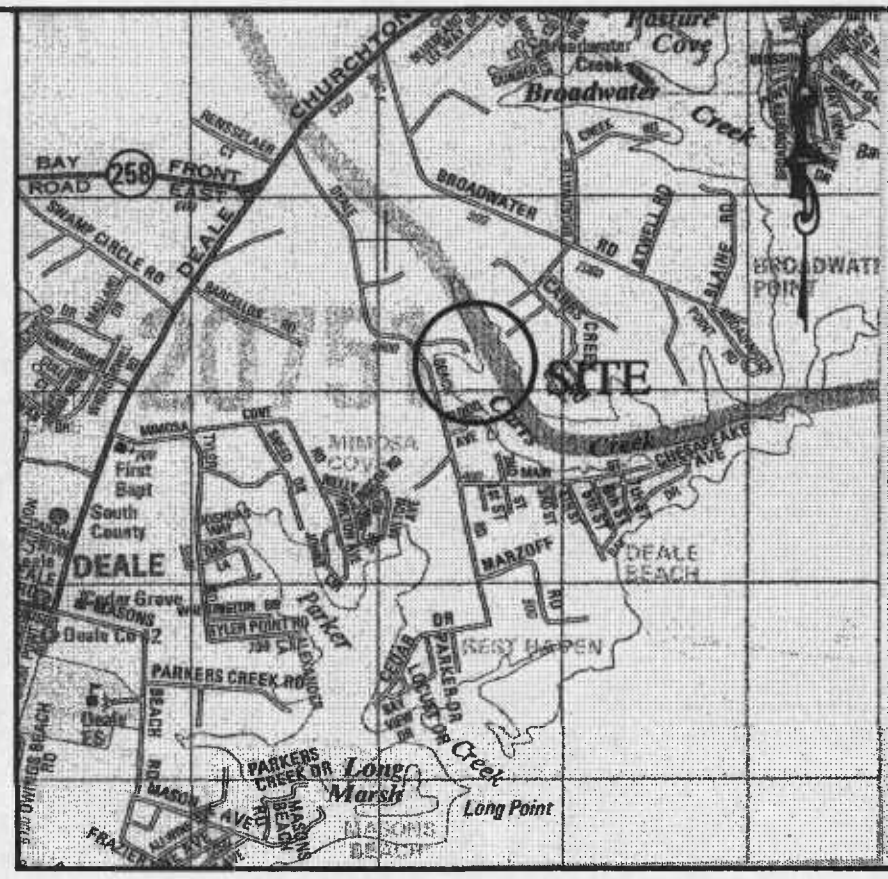
Cc: Paul Griffith, Anthony Christhlf, Robert Konowal

2120 Renard Court, Annapolis, Maryland 21401
(410) 266-3212 • FAX (410) 266-3502

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VARIANCE PLAN FOR GRIFFITH PROPERTY



ADC PERMITTED USE NUMBER 21003176
VICINITY MAP
SCALE: 1" = 2000'

SITE DATA	
PROPERTY ADDRESS:	5905 DEALE BEACH ROAD DEALE, MARYLAND 20751
OWNER ADDRESS:	5905 DEALE BEACH ROAD DEALE, MARYLAND 20751
TAX MAP: 74	BLOCK: 20
ASSESSMENT DISTRICT:	7TH
TAX ACCOUNT NUMBER:	7-000-02097205
EXISTING ZONING:	R-5/R-2/OS
PROPOSED ZONING:	R-5/R-2/OS
FEMA RATE MAP NUMBER:	240008-0055 & 59 C
FEMA RATE MAP ZONE:	A-7 (ELEV. 6); B & C
CRITICAL AREA MAP:	33
CRITICAL AREA DESIGNATION:	RCA
PREDOMINANT SOILS:	Dca - DEALE-SHADY OAK COMPLEX; 0 - 2% SLOPES; HSG TYPE 'C'
EXISTING USE:	1 SINGLE FAMILY DETACHED HOME AND 2 VACANT LOTS
PROPOSED USE:	3 SINGLE FAMILY DETACHED HOMES
TOTAL SITE AREA:	498,656±s.f. 11.4476 Ac.
ON-SITE DISTURBANCE:	42,574 s.f. 0.9753 Ac.
PROPOSED CLEARING:	32,808 s.f. 0.7532 Ac.
EXISTING WOODED AREA:	355,519 s.f. 8.1616 Ac.
PROPOSED WOODED AREA:	322,711 s.f. 7.4082 Ac.
PROPOSED IMPERVIOUS AREA:	25,737 s.f.± 0.5908 Ac.±

NOTES:
1. ALL WETLAND AND BUFFER AREAS OUTSIDE OF THE LIMITS OF DISTURBANCE SHALL BE PLACED IN A CONSERVATION EASEMENT PRIOR TO GRADING PERMIT APPROVAL.
2. ALL ON SITE STRUCTURES ARE TO REMAIN

STORMWATER MANAGEMENT CREDIT NOTE

ENVIRONMENTALLY SENSITIVE DEVELOPMENT CREDIT NOTES:
OVER HALF OF THIS SITE WILL BE PLACED IN PERMANENT FOREST CONSERVATION EASEMENT. THE PROPOSED IMPERVIOUS COVER IS LESS THAN 15%. THE PROPOSED BUILDINGS WILL BE TREATED BY ROOFTOP DISCONNECT WHILE THE DRIVEWAYS WILL BE DRAINED VIA GRASS CHANNELS. COMBINING THE ABOVE WITH THE PROPOSED LOTS BEING OVER 2 ACRES AND WILL BE DEVELOPED WITH A SINGLE FAMILY HOMES THIS CREDIT WILL PROVIDE 100% OF THE WQV(WATER QUALITY VOLUME) AND REV(RECHARGE VOLUME)

STORMWATER MANAGEMENT STATEMENT

1&2. THE IMPLEMENTATION OF DISCONNECTION OF ALL IMPERVIOUS SURFACES VIA ROOFTOP/NON-ROOFTOP DISCONNECTION AND GRASS DRAINAGE DITCHES MEETS THE REQUIREMENTS FOR THE ENVIRONMENTALLY SENSITIVE DEVELOPMENT CREDIT. IMPLEMENTATION OF THIS CREDIT ON THIS PROJECT ALLOWS FOR THE ENTIRE WQV AND REV TO BE CREDITED.
3, 4, &5. CPV, QP & OF ARE NOT REQUIRED DUE TO DIRECT TIDAL DISCHARGE INTO CARRS CREEK.

OUTFALL STATEMENT

THE SITE OUTFALL, TRIBUTARY OUTFALL AND POINT OF INTEREST OCCURS WHERE THE DRAINAGE FROM THE SUBJECT SITE MEETS CARRS CREEK. ON FEBRUARY 22, 2005 THE SITE WAS VISITED BY A REPRESENTATIVE OF MESSICK & ASSOCIATES AND THE FOLLOWING WAS FOUND: CURRENTLY FOUR CULVERTS PASS UNDER THE EXISTING DRIVEWAY AND DISCHARGE UPON TIDAL WETLANDS WHICH DRAIN INTO THE CREEK. THE DISTANCE FROM THE DISCHARGE POINTS TO THE WATERLINE OF THE CREEK RANGES FROM A FEW FEET TO ABOUT 40 FEET. THE OUTCOME OF THE ANALYSIS SHOWS THAT THE TIDAL WETLANDS WILL NOT BE ADVERSELY AFFECTED BY THE DEVELOPMENT OF THIS SITE.

STORM WATER MANAGEMENT SUMMARY TABLE

Minimum Sizing Criteria	Symbol	Drainage Area(s)	Volume Required (cf)	Volume Provided (cf)	SWM BMP	Notes
Water Quality Volume	(WQ _v)	Entire Site Area (11.43ac)	4189	N/A	Environmentally Sensitive Development Credit	Accounts for proposed developed conditions.
Recharge Volume	(R _v)	Entire Site Area (11.43ac)	587	N/A	Environmentally Sensitive Development Credit	Rev has been achieved by Credits
Channel Protection Volume	(C _p)	Entire Site Area (11.43ac)	N/A	N/A	Direct Tidal Discharge	C _p not required due to Direct Tidal Discharge
Overbank Flood Protection	(O _p)	Entire Site Area (11.43ac)	N/A	N/A	Direct Tidal Discharge	C _p not required due to Direct Tidal Discharge
Extreme Flood	(Q)	Entire Site Area (11.43ac)	N/A	N/A	Direct Tidal Discharge	C _p not required due to Direct Tidal Discharge

CRITICAL AREA DATA						
LOT NO.	LOT AREA	IMPERVIOUS AREA ALLOWED	IMPERVIOUS AREA PROPOSED	EX. WOODED AREA	WOODLAND CLEARING ALLOWED	WOODLAND CLEARING PROPOSED
LOT 1	136,149 SQ. FT. 3.1256 AC.	20,422 SQ. FT.	16,108 SQ. FT. 11.8%	26,421 SQ. FT.	5,284 SQ. FT.	3,835 SQ. FT. 14.5%
LOT 2	184,462 SQ. FT. 4.2347 AC.	27,669 SQ. FT.	6,222 SQ. FT. 3.4%	175,494 SQ. FT.	35,099 SQ. FT.	20,560 SQ. FT. 11.7%
LOT 3	164,318 SQ. FT. 3.7722 AC.	24,648 SQ. FT.	3,407 SQ. FT. 2.1%	153,604 SQ. FT.	30,721 SQ. FT.	8,413 SQ. FT. 5.5%
TOTAL	484,929 SQ. FT. 11.1325 AC.	72,739 SQ. FT. 1.66%	25,737 SQ. FT. 5.3%	355,519 SQ. FT.	71,104 SQ. FT. 14.6%	32,808 SQ. FT. 9.2%
		15% IMPERVIOUS AREA PERMITTED		20% WOODLAND CLEARING PERMITTED		

LEGEND

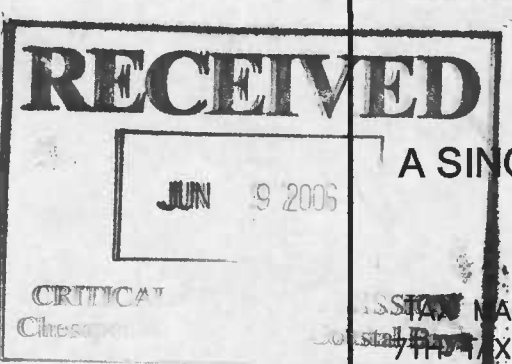
- 2 - EXISTING CONTOUR
- EXISTING TIDAL WETLAND
- EXISTING NON-TIDAL WETLANDS
- EXISTING TIDAL WETLAND BUFFER
- EXISTING NON-TIDAL WETLANDS BUFFER
- PROPERTY LINE
- INTERIOR PROPERTY LINE
- USE IN COMMON/UTILITY EASEMENT
- RIGHT OF WAY DEDICATION
- L.O.D. - LIMIT OF DISTURBANCE
- SF - SILT FENCE
- STABILIZED CONSTRUCTION ENTRANCE
- ZONING LINE
- EXISTING BUILDING
- EXISTING GRAVEL DRIVEWAY
- PROPOSED SEWER
- PROPOSED GRAVEL DRIVEWAY
- PROPOSED STORM DRAIN
- PROPOSED HOUSE
- PROPOSED TREELINE
- EXISTING TREELINE

REVISION	DESCRIPTION	BY	DATE

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* MESSICK GROUP, INC. T/A MESSICK AND ASSOCIATES



OWNERS:
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5905 DEALE BEACH ROAD
DEALE, MD 20751-9750
APPLICANTS:
PAUL & KIMBERLY GRIFFITH
5905 DEALE BEACH ROAD
DEALE, MD 20751-9750



VARIANCE PLAN
MINOR SUBDIVISION OF
GRIFFITH PROPERTY
A SINGLE FAMILY DETACHED RESIDENTIAL SUBDIVISION
MINOR SUBDIVISION # 2004-123
TAX MAP: 74 GRID: 20 PARCEL: 202 (LOTS 1, 2 & 3) ZONED: R-2/R-5/OS
ASSESSMENT DISTRICT: ANNE ARUNDEL COUNTY, MARYLAND 20751
SCALE: AS SHOWN DATE: APRIL 2005 SHEET: 1 OF 2